



STANLEY W. LEIGHTON, CHAIRMAN
BURTIS S. BROWN
THOMAS M. REYNOLDS

BOARD OF APPEAL

KATHARINE E. TOY, CLERK
TELEPHONE
WE. 5-1664

Petition of John Simoni

Pursuant to due notice the Board of Appeal held a public hearing in the Upper Town Hall at 8:00 p.m. on August 2, 1951 on the petition of John Simoni for a variance from Section 9-C, Yard Regulations, of the Zoning By-law. Such variance would permit the erection of a dwelling at #2 Hill Top Road with a side yard less than the required twenty feet.

Statement of Facts

On July 10, 1951 the petitioner filed his written request with this Board to erect the above-mentioned dwelling, and thereafter due notice of said hearing was given by mailing and publication.

The petitioner submitted plans of the proposed house together with a plot plan showing its proposed location. The plan showed that the house would be located thirty feet from Hill Top Road, and fifteen feet from the side lot line on the north side.

The petitioner explained that the previous month he had obtained permission from the Board of Appeal to erect a dwelling on the lot in question which contains less than the required 10,000 square feet. At that time it was suggested by several neighbors that the house be turned around to face Hill Top Road rather than Linden Street. This could only be done by obtaining a side yard variance from the Board. It was pointed out that the house will be more attractive to the neighborhood if it is facing Hill Top Road.

Mr. William J. Quinn, 5 Hill Top Road and Mr. and Mrs. Hyman B. Lunchick, 1 Hill Top Road, appeared and urged the granting of the requested variance.

No objections were raised at the meeting to the granting of the requested variance.

Decision

The immediate vicinity is a developed neighborhood in respect to houses and side yards. A great many of the nearby properties have side yards of considerably less than twenty feet. The property in question is across the street from a business district and within a few hundred feet of the railroad and industrial district.

In accordance with the above findings, the Board of Appeal unanimously finds that sufficient reasons exist for determining that a literal enforcement of Section 9-C of the Zoning By-law would involve substantial hardship to the petitioner, and that a variance can be granted without substantial detriment to the public good and without substantially derogating

from the intent and purpose of said section.

Accordingly, the requested variance is authorized and granted and the issuance of a permit for the proposed dwelling, subject to all usual requirements of the Inspector of Buildings is hereby directed.

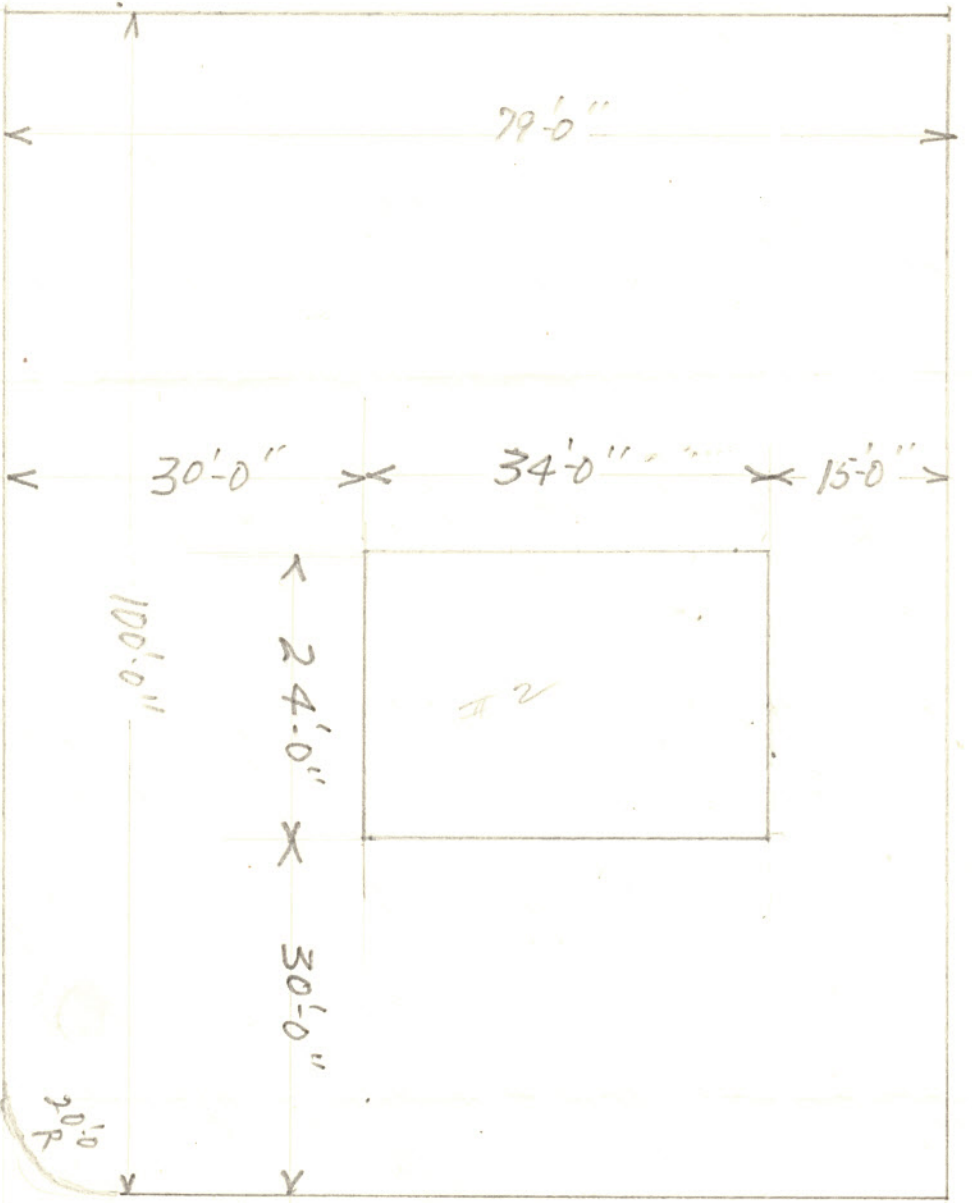
S. W. Leighton
S. W. Leighton

B. S. Brown
B. S. Brown

T. M. Reynolds
T. M. Reynolds

August 7, 1951.

Canoni.



Hilltop Rd.

Linden St.

Proposed Location of House Scale 1/16" = 1'-0"

Facing Hilltop Rd. Pleasant St. Homes

John Simoni